

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

KOBRE & KIM LLP,

Plaintiff,

- v. -

COMMODITY FUTURES TRADING  
COMMISSION,

Defendant.

Case No. 19-cv-10151 (LAK) (OTW)

Honorable Ona T. Wang

**DECLARATION OF  
BENJAMIN J.A. SAUTER**

Pursuant to 28 U.S.C. § 1746, I, Benjamin J.A. Sauter, hereby declare:

1. I am a Partner at Kobre & Kim LLP and am counsel for Plaintiff Kobre & Kim in the above-captioned matter. I am submitting this declaration in support of Kobre & Kim's Motion to Compel.

2. Attached hereto as **Exhibit A** is a true and correct copy of an email exchange, which includes an email from Assistant United States Attorney Rachael Doud, dated January 14, 2020.

Executed on May 1, 2020, in New York, New York.

/s/ Benjamin J.A. Sauter  
Benjamin J.A. Sauter

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